IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.1379 OF 2005

Tips Industries Ltd. ....Plaintiff
V/s.
Musico Marketing Pvt.Ltd. ....Defendant

Ms.Jyoti Shah i/b Dhru Shah & Co. for the Plaintiff.
None for the Defendant.

CORAM : S.J. VAZIFDAR, J.
DATED : 14TH DECEMBER, 2005.

P.C. :

1. The suit is filed to recover the balance price of the goods sold and delivered by the Plaintiff to the Defendant.

2. The Plaintiff has filed the compilation of the original documents. The same is taken on record and marked Exhibit "A" collectively.

3. The Plaintiff has sold and delivered the said goods on the terms and conditions contained in the suit invoices. The same were received as evidenced by the carriers receipts. In fact part payments were made.

4. There is no appearance. There is no written statement. There is no reply to the Plaintiff’s advocate notice demanding payment. There is nothing on record that militates against the Plaintiff’s claim. This is a fit case where the averments and the submissions in the plaint ought to be accepted as correct.

5. In the circumstances, the suit is decreed as prayed. However, interest after the date of filing of the suit shall be at the rate of 12% p.a.

. Refund as per rules.